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19 Attorneys for Defendants
20 ROBERT BOSCH GmbH

21
22 UNITED STATES DISTRICT COURT
23 SOUTHERN DISTRICT OF CALIFORNIA
24 SAN DIEGO DIVISION

25
26 AMERICAN GNC CORPORATION,
27 Plaintiff,
28 v.
19
20 GOPRO, INC., et al.,
21 Defendants.

Case No. 3:18-cv-00968-BAS-BLM

DEFENDANT ROBERT BOSCH
GMBH'S CORRECTED NOTICE
OF MOTION AND MOTION
PURSUANT TO RULE 12(B)(2)
TO DISMISS PLAINTIFF'S
COMPLAINT FOR LACK OF
PERSONAL JURISDICTION

22 Date: October 15, 2018
23 NO ORAL ARGUMENT UNLESS
24 REQUESTED BY THE COURT
Dept: Courtroom 4B
Judge: Hon. Cynthia Bashant

1 **TO THIS HONORABLE COURT, ALL PARTIES, AND THEIR**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE** that this Notice of Motion and Motion is filed to
4 correct the hearing date identified in Defendant Robert Bosch GmbH's Notice of
5 Motion and Motion Pursuant to Rule 12(b)(2) to Dismiss Plaintiff's Complaint for
6 Lack of Personal Jurisdiction filed on September 14, 2018, ECF No. 32. The
7 correct hearing date is October 15, 2018. Plaintiff does not oppose the filing of this
8 Corrected Notice of Motion and Motion.

9 **PLEASE TAKE FURTHER NOTICE** that on October 15, 2018 or as soon
10 thereafter as counsel may be heard before the Honorable Cynthia Bashant in
11 Courtroom 4B of the United States District Court for the Southern District of
12 California located at 333 West Broadway, Suite 1110, San Diego, California 92101,
13 Orrick, Herrington & Sutcliffe LLP, on behalf of RB GmbH, will and hereby does
14 move the Court pursuant to Federal Rule of Civil Procedure 12(b)(2) to dismiss
15 American GNC Corporation's Complaint against RB GmbH for lack of personal
16 jurisdiction. Dismissal is appropriate as American GNC has not carried its burden
17 of establishing that the Court has personal jurisdiction over RB GmbH.

18 RB GmbH's motion is based on this Notice of Motion and Motion, the
19 Memorandum of Points and Authorities, the supporting Declaration(s) of Rainer
20 Bischof, and Proposed Order filed herewith, all exhibits and other papers attached
21 thereto, all exhibits and other papers on file in this action and any related actions,
22 such other evidence and arguments as may be presented at or before the hearing on
23 this motion, and all other matters of which the Court may take judicial notice or
24 which it otherwise deems appropriate to consider.

25 This motion is made following the conference of counsel that took place on
26 August 24, 2018.

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1 Dated: September 24, 2018

2 BAS DE BLANK
3 DIANA RUTOWSKI
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5 JOHANNES HSU
6 NICHOLAS H. LAM
7 ORRICK, HERRINGTON & SUTCLIFFE LLP
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9 By: */s/ Bas de Blank*

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11 Attorneys for Defendants
12 Robert Bosch GmbH, and
13 Bosch Sensortec GmbH
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CERTIFICATE OF SERVICE

2 I hereby certify that a true copy of the foregoing document has been
3 forwarded, via the Courts CM/ECF electronic filing system upon all counsel of
4 record on September 24, 2018.

By: /s/ Bas de Blank
BAS DE BLANK